

REMARKS

A. The Section 103 Rejections Based on Bevan and Harbin

Claims 1 and 4-7 were rejected under 35 U.S.C. §103(a) as being unpatentable based on the combination of Bevan et al. (“Bevan”), U.S. Patent 6,489,923 and the newly cited reference to Harbin et al, U.S. Patent No. 5,701,583 (“Harbin”). Applicant respectfully disagrees and traverses these rejections for at least the following reasons.

In the Office Action the Examiner acknowledges that Bevan fails to disclose or suggest a scanner that is adapted to “....at least substantially eliminate multi-path nulls” (page 3 of Office Action), as recited in claim 1.

To make up for this deficiency the Examiner relies upon Harbin. However, rather than eliminate nulls Harbin appears to disclose a technique which creates them.

The Examiner cites excerpts from columns 8 and 13 of Harbin in the Office Action. The former is silent with respect to the elimination of nulls, focusing more on the “steering” of an antenna signal/system. The latter appears to suggest that Harbin creates nulls as a part of antenna “beam shaping”. More specifically, in column 13, Harbin makes mention of “null steering”. As is known in the art, many “null steering” techniques actually create nulls in order to reduce channel impairments.

Accordingly, because neither Bevan nor Harbin discloses or suggests a scanner adapted to scan through the plurality of antennas to at least

substantially eliminate multipath nulls, Applicant respectfully requests withdrawal of the rejections and allowance of claims 1 and 4-7.

B.) The Other Section 103 Rejections

The Office Action also includes a number of other rejections under 35 U.S.C. §103(a) based on a combination of Bevan and Harbin with other references, namely: (a) that claims 2 and 3 are unpatentable over Bevan and Harbin in view of Schuchman et al. (“Schuchman”), U.S. Patent 6,148,195; (b) that claims 8-17, 20 and 21 are unpatentable over Bevan and Harbin in view of Boras et al. (“Boras”), U.S. Patent 5,303,240 and in further view of Sole et al. (“Sole”), U.S. Patent 6,150,987; and (c) that claims 18 and 19 are unpatentable over Bevan and Harbin in view of Boras, Sole and Schuchman. Applicant respectfully disagrees and traverses these rejections for at least the following reasons.

Applicant notes that each of these claims includes a scanner that, among other things, scans a plurality of antennas to at least substantially eliminate multi-path nulls. As indicated above, neither Bevan nor Harbin discloses or suggests such a feature. In addition, Applicant respectfully submits that none of the additional references discloses or suggests such a feature. Therefore, Applicant respectfully submits that the claims of the present invention would not have been obvious to one of ordinary skill in the art because the combination of Bevan and Harbin with any of the other applied references does not disclose or suggest the subject matter of claims 2, 3 and 8-21.

Accordingly, Applicant respectfully requests withdrawal of the pending rejections and allowance of claims 2, 3 and 8-21.

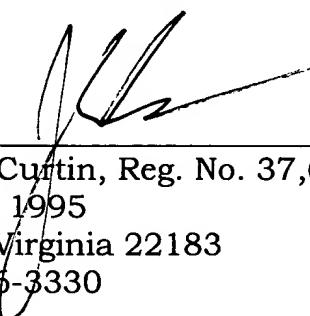
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By _____


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